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Counsel for Debtors and Debtors in Possession

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:)	
)	
EASY STREET HOLDING, LLC, <i>et. al.</i>)	Bankruptcy Case No. 09-29905
)	Jointly Administered with Cases
Debtors)	09-29907 and 09-29908
)	(This <u>Ex Parte</u> Motion affects only Case No.
)	09-29907 - Easy Street Partners, LLC)
Address: 201 Heber Avenue)	
Park City, UT 84060)	
)	Chapter 11
Tax ID Numbers:)	
35-2183713 (Easy Street Holding, LLC),)	Honorable R. Kimball Mosier
20-4502979 (Easy Street Partners, LLC), and)	
84-1685764 (Easy Street Mezzanine, LLC))	
)	

**EX PARTE MOTION TO (A) CONTINUE HEARING ON CONFIRMATION, AND
(B) MODIFY CERTAIN DEADLINES SET BY THE ORDER APPROVING AMENDED
DISCLOSURE STATEMENT WITH RESPECT TO AMENDED PLAN OF
REORGANIZATION OF EASY STREET PARTNERS, LLC, DATED FEBRUARY 18, 2010**

Easy Street Partners, LLC, debtor and debtor in possession (“Partners”), hereby files its ex parte motion (the “Motion”) to (A) continue the hearing on confirmation of the Amended Plan of Reorganization of Easy Street Partners, LLC, dated February 18, 2010 (the “Plan”) and

(B) modify or continue certain deadlines relating to the process of soliciting and confirming the Plan which were fixed by the Court's Order entered February 26, 2010 (A) Approving Amended Disclosure Statement with Respect to Amended Plan of Reorganization of Easy Street Partners, LLC, Dated February 18, 2010, (B) Establishing a Record Date, (C) Approving Solicitation Procedures, (D) Approving Forms of Ballots and Voting Procedures, and (E) Approving Notice and Scheduling Confirmation Hearing (the "Disclosure Statement Order"). Partners has discussed the proposed continuance and modifications requested in this Motion with counsel for the WestLB, AG, and the Official Committee of Unsecured Creditors, and neither opposes the proposed relief. In support of this Motion, Partners respectfully states as follows:

1. The Plan and the associated disclosure statement anticipated that Partners might need a backup, alternative "Plan Funder" for the Plan. Although discussions with Strategic Capital Partners ("SCP"), the currently-identified Plan Funder, regarding funding of the Plan continue, SCP failed to make required deposits on March 5, and 15, 2010. Partners is involved in serious negotiations with an alternative Plan Funder and hopes to have a letter of intent with the new Plan Funder no later than March 21, 2010.

2. Currently, under the Disclosure Statement Order, Partners is to file a "Plan Supplement" by March 15, 2010, completed ballots are to be submitted no later than March 22, 2010, objections to the Plan are to be filed by March 22, 2010, Partners' memorandum in support of confirmation and response to objections is to be filed by March 26, 2010, a report of the results of voting on the Plan is to be filed no later than the commencement of the confirmation hearing, and the hearing on confirmation of the Plan is scheduled for March 30, 2010, at 1:30 p.m., MDT. As a result of SCP's failure to make required deposits, Partners has been

required to pursue negotiations with an alternative Plan Funder. Partners believes that it will be able to proceed with the confirmation process if the confirmation hearing is continued for several weeks and if certain deadlines related to the confirmation process can be continued and modified a like period of time.

3. Partners projects having sufficient cash to continue operating during the period up to and beyond the proposed confirmation hearing. Partners projects holding approximately \$1.1 million in cash at the end of March 2010, approximately \$690,000 in cash at the end of April 2010, and approximately \$470,000 in cash at the end May 2010. Partners' stipulation with WestLB, AG for use of cash collateral currently runs through the end of April 2010.

4. Partners proposes the following: (i) the hearing to consider confirmation of the Plan, currently scheduled for March 30, 2010 at 1:30 p.m., MDT, be continued to April 27, 2010 at 1:30 p.m., MDT; (ii) the deadline for Partners to file its Plan Supplement, currently March 15, 2010, be continued or modified to April 12, 2010; (iii) the deadlines for voting on the Plan and for objecting to the Plan, both currently March 22, 2010, be continued or modified to April 19, 2010; (iv) the deadline for filing Partners' response to objections to confirmation and a memorandum in support of confirmation of the Plan, currently March 26, 2010, be continued or modified to April 23, 2010; and (v) the deadline for Partners to file a report of the results of voting on the Plan be the commencement of the continued confirmation hearing on April 27, 2010.

5. Partners is not requesting that other dates and deadlines or procedures set by the Disclosure Statement Order be continued or modified. The voting and tabulation procedures should remain unchanged, the temporary allowance of claims procedures and deadlines should

remain the same, no new record date for Claims and Interests should be fixed, and Partners should not be required to send new solicitation packages or ballots to creditors (although it will, of course, file the required Plan Supplement by the modified deadline and the modified balloting deadline will be a week after the Plan Supplement is filed). Partners will send a new notice regarding hearing and deadline dates (the “New Notice”) a proposed form of which is attached as hereto as **Exhibit A**.

6. Partners is also not requesting a continuance of hearing on other motions currently scheduled for Tuesday, March 30, 2010 at 1:30 p.m., MDT and the hearing date and time on the following motions remain scheduled for that date and time: (a) Partners’ Motion for Entry of an Order Determining the Value of the Sky Lodge Pursuant to § 506 of the Bankruptcy Code and Bankruptcy Rule 3012 (the “Valuation Motion”), (b) Partners’ Motion to Extend the Exclusive Period for Soliciting and Obtaining Acceptances of Its Chapter 11 Plan of Reorganization (the “Exclusivity Extension Motion”), (c) Partners’ Motion to Temporarily Allow the Homeowners’ Claims in a Reduced Amount For Voting Purposes Only (the “Temporary Allowance of Homeowners’ Claims Motion”), and (d) other motions for temporary allowance of claims to which Partners has filed objections, if any (“Other Temporary Allowance Motions”). Partners will serve a new notice stating that hearing on these Motions will go forward on March 30, 2010, as scheduled.

7. Partners proposes to serve all parties in interest with the New Notice.

WHEREFORE, Partners respectfully requests that the Court (A) approve the continued date for the hearing on confirmation of the Plan, (B) approve the modified or continued dates for Partners to file its Plan Supplement, for ballots to be submitted and for the results of voting to be

submitted, for objections to the Plan to be filed, and for it to respond to objections to the Plan and file a memorandum in support of confirmation of the Plan, (C) approve the form of New Notice, (D) not continue or modify other procedures, dates, or deadlines in the Disclosure Statement Order, (E) not disturb or continue hearings on the Valuation Motion, the Exclusivity Extension Motion, the Temporary Allowance of Homeowners Claims Motion, and Other Temporary Allowance Motions, which are scheduled for March 30, 2010, at 1:30 p.m., MDT, and (F) for such other and further relief as the Court deems just and equitable.

DATED this 16th day of March, 2010.

DURHAM JONES & PINEGAR, P.C.

By: /s/ Kenneth L. Cannon II

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Counsel for Debtors and Debtors in Possession

EXHIBIT A

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)	(This Notice affects only Case No.
)	09-29907 – Easy Street Partners, LLC)
Address: 201 Heber Avenue)	
Park City, UT 84060)	
)	Chapter 11
Tax ID Numbers:)	
35-2183713 (Easy Street Holding, LLC),)	
20-4502979 (Easy Street Partners, LLC), and)	Honorable R. Kimball Mosier
84-1685764 (Easy Street Mezzanine, LLC))	
)	

**AMENDED NOTICE OF HEARING ON CONFIRMATION
OF PLAN AND RELATED DEADLINES**

PLEASE TAKE NOTICE THAT, pursuant to Order of the United States Bankruptcy Court entered March __, 2010, (the “March __ Order Continuing Deadlines and Hearing Date”), certain hearing dates and deadlines set forth in the Notice of Hearing on Confirmation of Plan and Related Deadlines dated February 25, 2010 previously served on you have been continued and/or modified. PLEASE READ THIS **AMENDED** NOTICE CAREFULLY.

1. The old deadline for filing and serving objections to confirmation of the Amended Plan of Reorganization of Easy Street Partners, LLC dated February 18, 2010 (the "Plan"), currently Monday, March 22, 2010 at 4:30 p.m. MDT, has been modified. The deadline for filing with the Court objections to confirmation of the Plan is now **Monday, April 19, 2010, at 4:30 p.m. MDT**. At the same time, you must also serve a copy of the objection so that it is actually received by the following parties by the stated deadline (the "Notice Parties"):

(1) counsel to the Debtors, Crowell & Moring LLP, 590 Madison Avenue, 20th Floor, New York, NY 10022, Attn: Michael V. Blumenthal, Esq.; (2) co-counsel to the Debtors, Durham Jones & Pinegar, P.C., 111 East Broadway, Suite 900, P.O. Box 4050, Salt Lake City, UT 84111-4050, Attn: Kenneth L. Cannon II, Esq.; (3) counsel to the Official Committee of Unsecured Creditors, Jones Waldo Holbrook & McDonough, PC, 170 South Main Street, Suite 1500, Salt Lake City, UT 84101, Attn: Lon A. Jenkins, Esq.; and (4) the Office of the United States Trustee, 405 South Main Street, Suite 300, Ken Garff Building, Salt Lake City, UT 84111, Attn: John T. Morgan, Esq.; and (5) counsel for WestLB, AG, Sidley Austin LLP, 555 West Fifth Street, Los Angeles, CA 90013, Attn: Richard W. Havel, Esq.

2. If you are eligible to vote on the Plan, you have received a ballot for voting on the Plan with the "Solicitation Package" mailed to you on February 26, 2010. The old deadline for submitting ballots accepting or rejecting the Plan, currently Monday, March 22, 2010 at 4:30 p.m. MDT, has been modified and is now **Monday, April 19, 2010, at 4:30 p.m. MDT**. To be counted, properly executed and completed ballots must be returned so as to be actually received by the new deadline to: Michael V. Blumenthal, Esq., Crowell & Moring, LLP 590 Madison Avenue, New York, New York 10022. For more information on completing and submitting the Ballot, please carefully read the instructions accompanying the Ballot, replacing the dated March 22, 2010 deadline with April 19, 2010. CROWELL & MORING LLP CANNOT GIVE YOU LEGAL ADVICE. IF YOU DO NOT UNDERSTAND THIS NOTICE, YOU SHOULD CONSULT A LAWYER. If you have already submitted your ballot, you do not need to submit a second ballot.

3. IF YOU HOLD OR HAVE ASSERTED CLAIMS AGAINST THE DEBTOR THAT ARE IN A CLASS THAT IS NOT IMPAIRED UNDER THE PLAN, YOU ARE NOT ELIGIBLE TO VOTE ON THE PLAN. PURSUANT TO SECTION 1126(f) OF THE UNITED STATES BANKRUPTCY CODE, YOU ARE (i) DEEMED TO HAVE VOTED TO ACCEPT THE PLAN AND (ii) NOT ENTITLED TO VOTE TO ACCEPT OR REJECT THE PLAN AS A HOLDER OF SUCH CLAIM. ACCORDINGLY, THIS NOTICE AND THE CONFIRMATION HEARING NOTICE ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. IF YOU HAVE ANY QUESTIONS ABOUT THE STATUS OF YOUR CLAIM(S), YOU SHOULD CONTACT THE DEBTOR'S COUNSEL AT THE FOLLOWING ADDRESS: STEVEN B. EICHEL, ESQ., CROWELL & MORING LLP, 590 MADISON AVENUE, 20th FLOOR, NEW YORK, NY 10022, TEL. NO. (212) 223-4000. CROWELL & MORING LLP CANNOT GIVE YOU LEGAL ADVICE. IF YOU DO NOT UNDERSTAND THIS NOTICE, YOU SHOULD CONSULT A LAWYER.

4. If any party served and filed an objection to your claim on or before March 1, 2010, such claim will be temporarily disallowed for voting purposes only (and not for the purposes of allowance or distribution), except to the extent the Court temporarily allows such claim for voting purposes only pursuant to a timely-filed motion under Fed.R.Bankr.P. 3018(a). The deadline for filing motion to have a claim temporarily allowed for voting purposes pursuant to Fed.R.Bankr.P. 3018(a) has not changed. Any such motion must be filed with the Court and served on the Notice Parties, together with evidence in support thereof, so that it is actually received on or before Thursday, March 18, 2010 at 4:30 p.m. MDT. The date and time for such motions to be heard has not changed. Any such motion that is timely filed and served will be heard on Tuesday, March 30, 2010 at 1:30 p.m., MDT, before the Honorable R. Kimball Mosier, Room 369, Frank E. Moss United States Courthouse, 350 South Main Street, Salt Lake City, Utah 84101.

5. Copies of the Plan and Disclosure Statement may be obtained upon request by contacting the Debtor's counsel at (212) 223-4000, or by written request directed to: Crowell & Moring LLP, 590 Madison Avenue, 20th Floor, New York, NY 10022, Attn: Michael V. Blumenthal, Esq.

6. The deadline for the Debtor to file a Plan Supplement, currently Monday, March 15, 2010, has been modified. The new deadline for the Debtor to file a Plan Supplement is **Monday, April 12, 2010**. The Order (A) Approving Amended Disclosure Statement With Respect To Amended Plan Of Reorganization Of Easy Street Partners, LLC, Dated February 18, 2010 (B) Establishing A Record Date, (C) Approving Solicitation Procedures, (D) Approving Forms Of Ballots And Voting Procedures, and (E) Approving Notice of and Scheduling Confirmation Hearing (the "Disclosure Statement Order"), a copy of which was served on you as part of the Solicitation Package, provides that the Debtor shall serve copies of the Plan Supplement on certain parties. You may also receive a copy of the Plan Supplement when it is filed by submitting no later than April 8, 2010, a request to counsel for the Debtor, Steven B. Eichel, Crowell & Moring LLP, 590 Madison Avenue, 20th Floor, New York, NY 10022, telephone: (212) 223-4000, facsimile: (212) 223-4134, email: seichel@crowell.com, or Kenneth L. Cannon II, Durham, Jones & Pinegar, 111 East Broadway, Suite 900, P.O. Box 4050, Salt Lake City, UT 84111-4050, telephone: (801) 415-3000, facsimile: (801) 415-3500, email: kcannon@djplaw.com. You may also receive a copy of the Plan Supplement after March 15, 2010, by requesting a copy from Debtor's counsel.

7. The hearing to consider confirmation of the Plan, currently scheduled for Tuesday, March 30, 2010, at 1:30 p.m. MDT has been continued. THE HEARING TO CONSIDER CONFIRMATION OF THE PLAN WILL NOW BE HELD on **Tuesday, April 27, 2010 at 1:30 p.m. MDT** (the "Confirmation Hearing"), before the Honorable R. Kimball Mosier, Room 369, Frank E. Moss United States Courthouse, 350 South Main Street, Salt Lake City, Utah 84101. The Confirmation Hearing may be continued at any time; however, if continued other than at the scheduled Confirmation Hearing, the Debtor shall send a notice of the continued date by first class U.S. mail.

8. **Please take further notice that the Plan contains an injunction against taking certain actions. Please consult the Disclosure Statement for a complete explanation of the injunctions set forth in the Plan.**

9. In addition to the matters described in this notice, the Court has established various procedures and deadlines in connection with voting and confirmation of the Plan, which are set forth in the Disclosure Statement Order, a copy of which was served on you as part of the Solicitation Package. Those procedures and deadlines remain fully in effect, except as modified by the Court's March __ Order Continuing Deadlines and Hearing Date.

Dated this ____ day of March, 2010.

DURHAM JONES & PINEGAR, P.C.

By: _____

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